

## Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY MOSCOW

INFO AMEMBASSY PARIS

AMEMBASSY WARSAW

:QA/CINCPAC

C O N F I D E N T I A L STATE 173533

E.O. 11652:GDS

TAGS:PFOR, US, UR, PL

SUBJECT:REQUEST FOR DECLASSIFICATION OF AMEMBASSY MOSCOW  
TELEGRAM 12887 OF 20 DECEMBER 1972

CINCPAC FOR POLAD

REF: MOSCOW 10061

1. HEREWITH IS TEXT OF AMEMBASSY MOSCOW'S TELEGRAM OF  
20 DECEMBER 1972: QUOTE

1. FOLLOWING IS UNOFFICIAL TRANSLATION OF NOTE. NO. 84,  
DATED DEC. 20, PROTESTING THE ALLEGED BOMBING BY US AIR-  
CRAFT OF A SOVIET VESSEL IN THE PORT OF HAIPHONG. THE  
NOTE WAS HANDED TO THE DCM BY THE CHIEF OF THE USA DIVISION  
OF THE MINISTRY OF FOREIGN AFFAIRS, KORNIYENKO. BEGIN  
TEXT:

ON INSTRUCTIONS OF THE SOVIET GOVERNMENT THE MINISTRY OF  
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FOREIGN AFFAIRS OF THE UNION OF SOVIET SOCIALIST REPUBLICS

STATES TO THE EMBASSY OF THE UNITED STATES OF AMERICA FOR  
TRANSMISSION TO THE GOVERNMENT OF THE USA THE FOLLOWING:

ON DECEMBER 18, 1972, DURING THE OVERFLIGHT BY AMERICAN  
AIRCRAFT OF THE NORTH VIETNAMESE PORT OF HAIPHONG, THE  
SOVIET STEAMSHIP "MICHURIN" LOCATED IN THAT PORT SUFFERED  
DAMAGE. THE LIVES AND SAFETY OF SOVIET SEAMEN WERE  
ENDANGERED.

THESE PIRATICAL ACTIONS BY US AIRCRAFT ARE A CRUDE VIOLA-  
TION OF THE RECOGNIZED NORMS OF INTERNATIONAL LAW AND THE  
PRINCIPLES OF FREEDOM OF NAVIGATION, INCLUDING THE 1958  
GENEVA CONVENTIONS ON LAW OF THE SEA, OF WHICH THE UNITED  
STATES IS A SIGNATORY.

THE GOVERNMENT OF THE USA BEARS FULL RESPONSIBILITY FOR  
THESE PROVOCATIVE ACTIONS BY THE US ARMED FORCES AND THE  
POSSIBLE DANGEROUS CONSEQUENCES OF SUCH ACTIONS.

IN STATING A PROTEST TO THE GOVERNMENT OF THE USA OVER THE  
CRIMINAL ACT AGAINST A SOVIET MERCHANT VESSEL IN HAIPHONG  
PORT, THE SOVIET GOVERNMENT INSISTS THAT EFFECTIVE MEA-  
SURES BE TAKEN TO PREVENT REPETITION OF SUCH ACTIONS IN  
THE FUTURE. MOSCOW, DECEMBER 20, 1972. END TEXT

2. AFTER READING NOTE, KORNIYENKO ADDED THAT JUST A FEW  
MOMENTS AGO INFORMATION HAD BEEN RECEIVED THAT A POLISH  
VESSEL, MOORED CLOSE TO THE SOVIET SHIP "MICHURIN"  
MENTIONED IN THE NOTE, HAD BEEN HIT AND SUNK DURING THE  
AMERICAN RAIDS ON DECEMBER 19. SEVERAL MEMBERS OF THE  
POLISH VESSEL WERE REPORTEDLY KILLED AND WOUNDED. THIS  
INCIDENT ONCE MORE DEMONSTRATED THAT SHIPS OF THE SOVIET  
UNION AS WELL AS VESSELS OF OTHER NATIONS ANCHORED IN  
HAIPHONG HARBOR CONTINUE TO BE ENDANGERED AS A RESULT OF  
THE BANDIT ACTIONS OF THE US AIR FORCE. HE SAID HE WISHED  
TO STRESS ONCE MORE THE COMMENT MADE IN TASS STATEMENT  
PUBLISHED IN THE DECEMBER 20 SOVIET PRESS THAT THE GOVERN-  
MENT OF THE USSR CONSIDERS THE SITUATION EXTREMELY SERIOUS  
AND EXPECTS THE US TO TAKE PROMPT AND EFFECTIVE ACTION TO  
PREVENT SIMILAR INCIDENTS IN THE FUTURE.

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3. IN RESPONSE, DCM REITERATED COMMENTS MADE BY ZIEGLER IN  
PRESS BRIEFING DECEMBER 19. DCM NOTED THAT ONLY OBSTACLE  
TO PEACE IN VIET-NAM WAS A DECISION ON PART OF HANOI TO  
APPROACH DISCUSSIONS IN A CONSTRUCTIVE WAY. DCM ADDED  
THAT IN THE MEANTIME USG CANNOT ALLOW THE PEACE TALKS TO  
BE DELAYED AS A COVER-UP FOR A BUILD UP OF NVN FORCES THAT  
COULD LEAD TO AN OFFENSIVE IN SOUTH VIETNAM. IN ADDITION,

DCM NOTED THAT SOVIET GOVERNMENT MUST BE AWARE OF US POLICY CALLING FOR THE EXERCISE OF UTMOST PRUDENCE AND CAUTION IN SELECTION OF BOMBING TARGETS. IF FACTS ESTABLISHED, HOWEVER, THAT DAMAGE TO SOVIET VESSEL HAD TAKEN PLACE AS A RESULT OF A BOMB HIT, THIS WOULD HAVE BEEN INADVERTENT AND VERY MUCH REGRETTED ON PART OF USG.

4. KORNIYENKO REPLIED THAT SINCE DCM HAD RAISED MATTER OF NEGOTIATION, IT SHOULD BE POINTED OUT THAT SOVIET GOVERNMENT TAKES POSITION THAT HANOI IS PREPARED TO SIGN AGREEMENT TODAY OR TOMORROW AS AGREED UPON ON OCTOBER 22. IT IS US RATHER THAN NORTH VIETNAM THAT IS DELAYING AGREEMENT. SOVIET GOVERNMENT VIEWS INTENSIFIED BOMBINGS AS AN ATTEMPT TO INFLUENCE HANOI TO ACCEPT AMERICAN CONDITIONS FOR AN AGREEMENT. FINALLY, SOVIET GOVERNMENT CONSIDERS ACTIONS OF US AIR FORCE AS HOSTILE TO USSR AND OTHER COUNTRIES WHICH HAVE SHIPS ANCHORED IN HAIPHONG.

5. DCM REFERRED KORNIYENKO TO KISSINGER PRESS CONFERENCE COVERING STATUS OF THE NEGOTIATIONS.

6. IN REPLY TO QUERY, SOVIET SIDE INDICATED THAT IT HAS AS YET RECEIVED NO NEWS WHICH WOULD INDICATE THAT DAMAGE TO "MICHURIN" RESULTED IN ANY DEATHS OR CASUALTIES.

7. KORNIYENKO GAVE NO INDICATION WHETHER OR NOT SOVIET PROTEST NOTE WOULD BE PUBLISHED. END QUOTE KISSINGER

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## Message Attributes

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